

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,	)	CASE NO. 807-CR85
	)	
Plaintiff,	)	
	)	
v.	)	<b>UN-OPPOSED APPEAL FROM</b>
	)	<b>MAGISTRATE'S ORDER DENYING</b>
JOHN H. MONETTI,	)	<b>DEFENDANT'S MOTION TO</b>
	)	<b>SUPPRESS</b>
Defendant.	)	

Defendant, John H. Monetti, through counsel, Carlos A. Monzón, hereby appeals the Magistrate Judge's Order of June 6<sup>th</sup>, 2007, denying Defendant's Motion to Suppress Items of Physical Evidence and Statements.

In support of the instant appeal, Mr. Monetti shows to the Court as follows:

1. That defense counsel had conferred with Mr. Michael Norris, Assistant U.S. Attorney, prior to the filing of the Motion to Suppress and that Mr. Norris did not object to the late filing.
2. Likewise, Mr. Norris has no objection to the Court granting the instant appeal and allowing the late filing of Defendant's Motion to Suppress Items of Physical Evidence and Statements.
3. That defendant due to the extensive discovery in this case, the amount of witnesses and independent investigation required, was not able to file his Motion to Suppress by the deadline set by the Court.

WHEREFORE, Mr. Monetti prays that this Honorable Court will issue an Order reversing the Magistrate Judge's ruling and allowing his out of time filing on his Motion to Suppress Items of Physical Evidence and Statements.

Respectfully submitted, this 13<sup>th</sup> day of June, 2007.

JOHN H. MONETTI, Defendant

By s/ Carlos A. Monzón

**Carlos A. Monzón** (#20453)

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### **CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on June 13, 2007, I electronically filed the foregoing with the Clerk of Court, using the ECM/ECF system, which sent notification of such filing to the following: Mr. Michael Norris, Assistant U.S. Attorney.

s/ Carlos A. Monzón